

115TH CONGRESS
1ST SESSION

H. R. 3987

To reduce gun violence, fund gun violence research and victim assistance, and enhance the tracking of lost and stolen firearms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2017

Ms. VELÁZQUEZ (for herself, Ms. CLARKE of New York, Mr. MEEKS, Mr. ESPAILLAT, Mrs. NAPOLITANO, Ms. JAYAPAL, Mr. ENGEL, Mr. GUTIÉRREZ, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reduce gun violence, fund gun violence research and victim assistance, and enhance the tracking of lost and stolen firearms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Americans
5 from Gun Violence Act of 2017”.

1 **SEC. 2. COLLECTION OF FEE FOR USE OF THE NATIONAL**
2 **INSTANT CRIMINAL BACKGROUND CHECK**
3 **SYSTEM IN TRANSFERRING A FIREARM.**

4 (a) IN GENERAL.—Section 923 of title 18, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 “(m)(1) When, pursuant to section 922(t) of this
8 title, a licensee under this chapter is first required to con-
9 tact the national instant criminal background check sys-
10 tem established under section 103 of the Brady Handgun
11 Violence Prevention Act about a person with respect to
12 a transaction involving one or more firearms, but before
13 contacting the system, the licensee shall—

14 “(A) charge and collect from the person a fee
15 in an amount equal to \$1, regardless of the number
16 of firearms involved in the transaction;

17 “(B) provide the person with a timestamped re-
18 ceipt acknowledging receipt of the fee from the per-
19 son; and

20 “(C) maintain a written or electronic record of
21 the transaction and the timestamped receipt for 3
22 years.

23 “(2) Not later than the end of the calendar quarter
24 in which a licensee collects a fee under paragraph (1), the
25 licensee shall transmit the amount of the fee to the Attor-

1 ney General, who shall remit the amount to the Secretary
2 of the Treasury.”.

3 (b) PENALTY.—Section 924 of such title is amended
4 by adding at the end the following:

5 “(q)(1)(A) With respect to each violation of section
6 923(m) by a licensed manufacturer, licensed importer, or
7 licensed dealer, the Attorney General shall, after notice
8 and opportunity for hearing, impose a civil penalty of
9 \$2,500 on the licensee.

10 “(B) An action of the Attorney General under this
11 paragraph may be reviewed only as provided under section
12 923(f).

13 “(2) The imposition of a civil penalty under para-
14 graph (1) shall not preclude any administrative remedy
15 that is otherwise available to the Attorney General.”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect 30 days after the date of the
18 enactment of this Act.

19 **SEC. 3. CDC RESEARCH ON GUN VIOLENCE.**

20 Section 391 of the Public Health Service Act (42
21 U.S.C. 280b) is amended by adding at the end the fol-
22 lowing new subsection:

23 “(c) GUN VIOLENCE RESEARCH.—In carrying out
24 subsection (a), the Secretary shall conduct or support re-

1 search described in such subsection relating to gun vio-
2 lence.”.

3 **SEC. 4. DEDICATION OF REVENUES.**

4 Of the amounts received by the Secretary of the
5 Treasury pursuant to the amendment made by section
6 2(a) for fiscal year 2018 or any succeeding fiscal year:

7 (1) The first \$10,000,000 shall be available,
8 without further appropriation, to the Centers for
9 Disease Control and Prevention to carry out section
10 391(c) of the Public Health Service Act, as added by
11 section 3.

12 (2) The next \$5,000,000 shall be available,
13 without further appropriation, to the Attorney Gen-
14 eral, for the operation and maintenance of the na-
15 tional instant criminal background check system es-
16 tablished under section 103 of the Brady Handgun
17 Violence Prevention Act.

18 (3) The remainder shall be available, without
19 further appropriation, to the Attorney General for
20 such activities of the Office for Victim Assistance of
21 the Federal Bureau of Investigation as the Attorney
22 General deems appropriate.

1 **SEC. 5. REPORTING OF LOST OR STOLEN FIREARMS TO**
2 **LOCAL LAW ENFORCEMENT AUTHORITIES.**

3 (a) REPORTING REQUIREMENT.—Section 922 of title
4 18, United States Code, is amended by adding at the end
5 the following:

6 “(aa) Within 48 hours after a person who owns a
7 firearm that has been shipped or transported in, or has
8 been possessed in or affecting, interstate or foreign com-
9 merce, discovers or should have discovered the theft or loss
10 of the firearm, the person shall report the theft or loss
11 to local law enforcement authorities. To the best of the
12 person’s ability, the person shall provide the following in-
13 formation, if known:

14 “(1) A description of the firearm, including the
15 make, model, manufacturer, caliber, and serial num-
16 ber of the firearm, and any other distinguishing
17 number or identification mark on the firearm.

18 “(2) Whether the firearm is being reported lost
19 or stolen.

20 “(3) The date of the loss or theft.

21 “(4) The person’s name and address.

22 “(5) The location from which the firearm was
23 lost or stolen.”.

24 (b) PENALTIES.—Section 924 of such title is amend-
25 ed by adding at the end the following:

1 “(r) PENALTIES FOR FAILURE TO REPORT LOSS OR
2 THEFT OF FIREARM.—Whoever violates section 922(aa)
3 shall be fined \$10,000, imprisoned not more than 1 year,
4 or both, with respect to each firearm involved in the viola-
5 tion.”.

6 (c) REQUIREMENT THAT LOCAL LAW ENFORCE-
7 MENT AUTHORITIES REPORT LOST OR STOLEN FIRE-
8 ARMS TO THE NATIONAL CRIME INFORMATION CEN-
9 TER.—Within 7 days after a local law enforcement author-
10 ity receives a report that a firearm is lost or stolen, the
11 authority shall transmit the report to the National Crime
12 Information Center maintained by the Federal Bureau of
13 Investigation.

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